

## Key

### Hazardous Waste Management Regulations

#### Proposed Revision “aa”

#### **EPA Modifications**

1. Federal Register (FR) September 8, 2005, page 53419, standardizes obtaining and modifying permits for hazardous waste treatment storage and disposal facilities and for facilities which receive hazardous waste generated off-site by a generator under the same ownership as the receiving facility. Tennessee’s current procedures appear adequate for the small number of facilities that could be affected. Therefore, Tennessee is electing not to adopt these rule changes.
2. Federal Register (FR) October 12, 2005, page 59401, finalizes national emission standards for hazardous air pollutants and requires hazardous waste combustors to meet them.
3. Federal Register (FR) April 4, 2006, page 16861, promulgates changes to the regulatory requirements of the hazardous waste program to reduce the paperwork burden imposed on states, EPA, and the regulated community, ensuring that only the information that is actually needed and used is collected.
4. Federal Register (FR) July 28, 2006, page 42927, streamlines management requirements for recycling used cathode ray tubes (CRTs) and glass removed from CRTs. These materials are being excluded from the hazardous waste definition of solid waste if certain conditions are met. This encourages recycling and reuse of these materials.

#### **Departmental Modifications**

1. Rule 1200-1-11-.02(1)(e)2 is being modified by adding “...and Rule 1200-1-11-.05(9)(d).” Under current interpretation of the regulations, to leave containers of hazardous waste open could constitute “treatment without a permit” for a conditionally exempt small quantity generator.
2. The Department is proposing to extend the retention of records time from the three (3) years adopted by EPA to five (5) years in Rules 1200-1-11-.05(5)(d)2(iii), (iv), (v), (vi), (ix), (x), (xi), (xii), (xiii) and (xiv) based upon Tennessee’s inspection cycles.
3. The Department is proposing to extend the retention of records time from the three (3) years adopted by EPA to five (5) years in Rules 1200-1-11-

- .06(5)(d)2(iii), (iv), (vi), (vii), (ix), (xi), (xii), (xiii), (xiv), (xv), (xvi), and (xvii) based upon Tennessee's inspection cycles.
4. Based upon Tennessee's inspection frequency of these facilities, the Department is proposing to add the phrase "or until new analyses and characterization is made, whichever is longer" to the end of Rules 1200-1-11-.06(5)(d)2(xviii), .06(15)(h)4, .09(8)(c)5(x), and .09(8)(d)11 instead of just reducing the retention of records to five (5) years as adopted by EPA.
  5. Based upon the complexity and amount of time required for each review, the Department is proposing to make "2. Development of one contingency plan based on Contingency Plan Guidance pursuant to Rule 1200-1-11-.06(4)(c)2" and "4. Changes to inspection frequency for tank systems pursuant to Rule 1200-1-11-.06(10)(f)2" Class <sup>1</sup>1 permit modifications instead of Class I modifications adopted by EPA in new subparagraph "(o)" that is being added to Rule 1200-1-11-.07(10) Appendix I, Classification of Permit Modification.